

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. 05-10110-MEL
)	
v.)	VIOLATIONS:
)	
BURDLEY JEAN,)	18 U.S.C. § 371 (Conspiracy)
JEAN NORISCAT,)	18 U.S.C. § 1344 (Bank Fraud)
ANDERSON DEMOSTHENES)	18 U.S.C. § 2 (Aiding & Abetting)
a/k/a DIMITRI HILAIRE,)	
JAMES ROBERT NORMIL,)	
STEVEN MARCELIN,)	
SHAVONE NOBLE,)	
TYAMISHA TAVARES,)	
EDOUARD DUCARMEL,)	
JUDE CELESTIN, and)	
PETERSON DUMORNAY)	
Defendants.)	

SUPERSEDING INDICTMENT

The Grand Jury charges that at all times material to this Indictment:

1. BURDLEY JEAN ("JEAN"), JEAN NORISCAT ("NORISCAT"); ANDERSON DEMOSTHENES, a/k/a DIMITRI HILAIRE and "Andy" ("DEMOSTHENES"); JAMES ROBERT NORMIL ("NORMIL"), also known as "Bobby"; STEVEN MARCELIN ("MARCELIN"); SHAVONE NOBLE ("NOBLE"); TYAMISHA TAVARES ("TAVARES"); EDOUARD DUCARMEL ("DUCARMEL"); PETERSON DUMORNAY ("DUMORNAY"); and JUDE CELESTIN ("CELESTIN") each lived at one or more addresses in Massachusetts.

2. JEAN was a former employee of Fleet Bank, whose position at Fleet Bank had provided him with information regarding how banks encode and process checks.

3. During 2004, Fleet Bank was acquired by Bank of America. Consequently, the bank is referred to as Fleet Bank/Bank of America for any events occurring in 2004.

4. During times material to this indictment, CELESTIN and DUMORNAY were employed by Fleet Bank/Bank of America as Personal Bankers. In that capacity, they each had access to the Fleet Bank/Bank of America computer system that allowed them to view information regarding customer accounts.

GENERAL ALLEGATIONS

Overview of Scheme to Defraud

5. Starting in or before May 2002, JEAN devised a scheme to defraud several federally insured financial institutions in New England.

6. JEAN obtained, from a variety of sources, including insiders at federally insured financial institutions, the account information of legitimate customers of federally insured financial institutions. JEAN used this information to obtain or create counterfeit checks purportedly drawing on these accounts or to otherwise withdraw money from these accounts.

7. In some instances in 2002, JEAN entered the target banks and conducted the fraudulent transactions himself.

8. In or about 2003, JEAN recruited other individuals to physically enter the banks (hereinafter, "runners"), seeking to obscure the link between the criminal conduct and himself, and making it harder for the banks to detect the fraud as it occurred.

9. The runners entered federally insured financial institutions, including Fleet Bank/Bank of America, Sovereign Bank, Citizens Bank, and other banks, and cashed or deposited the counterfeit checks.

Depositing and Cashing the Counterfeit Checks:

10. In some instances, runners used counterfeit identification purporting to

demonstrate that the runners were the individuals to whom the counterfeit checks were payable in order to convince the banks to cash the counterfeit checks.

11. In other instances, the counterfeit checks purported to be payable to the runner in the runner's true name. In those instances, the runner cashed the checks using the runner's true identity information or deposited the checks into the runner's true bank account.

12. In one or more instances, the defendants, or others working with them, deposited counterfeit checks into bank accounts that purported to be the bank accounts of corporate entities.

Withdrawing the Proceeds of the Counterfeit Checks:

13. In those instances in which counterfeit checks were deposited into bank accounts, the defendants, or others working with the defendants, withdrew some or all of the proceeds from these accounts shortly after the counterfeit checks had been deposited into the accounts.

Further Expanding the Participants:

14. Sometime in 2003 or 2004, JEAN, NORISCAT and DEMOSTHENES began to further insulate themselves from the individuals who physically conducted the fraudulent bank transaction by having subordinates recruit new runners.

15. During the course of 2004, some of the runners themselves began to recruit yet more runners. This allowed the scheme to continue with new sets of runners not previously associated with the illegal conduct, and made it less likely that the banks could detect the fraud as it occurred, further reducing the likelihood that people higher up in the scheme would be recognized as participants in the fraud.

16. After a runner obtained money by cashing the fraudulent checks or withdrawing money from bank accounts into which the fraudulent checks had been deposited, the runner gave

the money to the person who drove, guided, or recruited him or her. The driver, guide or recruiter paid the runner, took some of the money for him or herself, and passed the rest of the money up the chain.

17. In total the scheme targeted over 50 customers at federally insured financial institutions, and resulted in losses and attempted losses to the federally insured financial institutions of well over \$1,000,000.

The Defendants' Roles in the Scheme

18. Throughout the time period of the scheme, JEAN obtained or created counterfeit checks and caused them to be cashed or deposited at financial institutions in the District of Massachusetts and elsewhere.

19. During the period from May 2004 through October 2004, some of this account information was provided to JEAN by DUMORNAY and CELESTIN.

20. JEAN used the information provided by DUMORNAY and CELESTIN, as well as information provided by others known and unknown to the Grand Jury, to obtain or create counterfeit checks.

21. JEAN provided these counterfeit checks to NORISCAT, DEMOSTHENES, DUCARMEL and others known and unknown to the Grand Jury.

22. NORISCAT, NOBLE, TAVARES, and DUCARMEL acted as runners.

23. NORISACT and NOBLE also acted as recruiters, convincing other individuals to act as runners or to otherwise participate in the scheme.

24. DEMOSTHENES, NORMIL, and MARCELIN also acted as recruiters, convincing other individuals to act as runners or to otherwise participate in the scheme.

25. JEAN, NORISCAT, DEMOSTHENES, NORMIL, MARCELIN, and NOBLE also sometimes acted as drivers or guides – individuals who drove or accompanied runners to federally insured financial institutions so that the runners could cash or deposit the counterfeit checks.

COUNT ONE
ALL DEFENDANTS
(Conspiracy – 18 U.S.C. § 371)

THE GRAND JURY FURTHER CHARGES THAT:

26. Paragraphs 1 through 25 are realleged and incorporated by reference as though fully set forth herein.

27. Beginning on a date unknown but no later than April 2003 and continuing until November 2004, in the District of Massachusetts and elsewhere,

BURDLEY JEAN,
JEAN NORISCAT,
ANDERSON DEMOSTHENES a/k/a DIMITRI HILAIRE,
JAMES ROBERT NORMIL
STEVEN MARCELIN,
SHAVONE NOBLE,
TYAMISHA TAVARES,
EDOUARD DUCARMEL,
JUDE CELESTIN, and
PETERSON DUMORNAY,

defendants herein, together with others known and unknown to the Grand Jury, knowingly and unlawfully conspired and agreed with each other to commit an offense against the United States, namely, to execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of federally insured financial institutions, namely Fleet Bank/Bank of America, Sovereign Bank, Citizens Bank, and other financial institutions by means of false and fraudulent pretenses, representations and promises in violation of Title 18, United States Code, Section 1344.

OBJECTIVES OF THE CONSPIRACY

28. The purpose and objective of the conspiracy was to fraudulently obtain money,

funds and other property then under the custody and control of Fleet Bank/Bank of America, Sovereign Bank, Citizens Bank, and other financial institutions, by using forged checks purportedly drawing on the accounts of legitimate customers of Fleet Bank/Bank of America, Sovereign Bank, Citizens Bank and other financial institutions.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the conspirators accomplished the goals of the conspiracy included, among others, the following:

29. It was part of the conspiracy to defraud that the defendants obtained the account information of legitimate customers of Fleet Bank/Bank of America, Sovereign Bank, Citizens Bank, and other financial institutions.

30. It was further a part of the conspiracy that the defendants used the account information described above to obtain or create counterfeit checks purportedly drawn on the accounts of legitimate customers of Fleet Bank/Bank of America, Sovereign Bank, Citizens Bank, and other financial institutions.

31. It was further part of the conspiracy that the defendants cashed these fraudulent checks or deposited the fraudulent checks into accounts at federally insured financial institutions and later withdrew the proceeds from these accounts.

32. It was further part of the conspiracy that the defendants recruited and encouraged individuals to act as recruiters, runners, drivers and guides. Recruiters convinced other people to act as runners, drivers, guides, and recruiters. Drivers and guides brought runners to banks where the runners conducted fraudulent banking activity, and paid the runners out of the proceeds.

33. It was further part of the conspiracy that defendants paid all of the participants in

the scheme from the proceeds of the fraudulent checks.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

34. In furtherance of the conspiracy, and to accomplish the objects of the conspiracy, the defendants in the District of Massachusetts and elsewhere, performed numerous overt acts, including but not limited to, the following:

<u>ACTOR</u>	<u>DATE</u> (on or about)	<u>OVERT ACT</u>
NORISCAT	4/03 to 6/03	Cashed numerous checks purportedly payable to Robert Washington purportedly drawing on the accounts of Perini Corporation, Simon and Marcus, Digiorgio Associates, Inc., Law Office of Scott Scheiderman, and EMC Corporation.
NORISCAT	5/03 to 7/03	Cashed numerous checks purportedly payable to Shaun Green purportedly drawing on the accounts of Steffian Bradley Architects, Mohawk Village Motors, Inc., David King and Company, Inc., Disability Management Services, Inc., Mosiki Development, Inc., and Advanced Wireless Automation, Inc.
JEAN	5/03	Recruited a person with the initials F.S. to act as runner.
JEAN	5/03	Recruited a person with the initials S.S. to act as runner.
DUCARMEL	5/20/03 and 5/21/03	Cashed three checks purportedly drawing on the account of Mohawk Village Motors, Inc.
NORISCAT	6/18/03	Cashed and attempted to cash numerous check payable to Robert Washington purportedly drawing on the account of EMC Corporation in Swansea, Somerset, Fall River and Westport, Massachusetts and Bristol, Rhode Island.
JEAN and NORISCAT	6/18/03	Drove to Fleet Banks in Swansea, Somerset, Fall River and Westport, Massachusetts and to a Fleet Bank in Bristol, Rhode Island to cash counterfeit checks.
NORISCAT	8/03 to 10/03	Cashed numerous checks purportedly payable to Mike

		Wilson purportedly drawing on the accounts of Commonwealth Cooperative Bank, Jewish Community Relations Council of Greater Boston, Full Armor Corporation, and Julian Crane & Equipment Corporation.
NORISCAT AND DEMOSTHENES	10/20/03	Drove to Fleet Bank in Londonderry, New Hampshire with intent to cash a check purportedly payable to Mike Wilson purportedly drawing on the account of Julian Crane and Equipment Corporation.
NORISCAT	1/04	Attempted to cash one or more checks purportedly payable to Ellis Pratt purportedly drawing on the account of Eagle Investment Systems Corporation.
NOBLE	4/04-7/04	Cashed and deposited numerous checks purportedly drawing on the accounts of Westbank Realty Corp., Corporate Realty Group, Inc., Atlantic Power & Light Company, Hillside Resource and Management, Pohly Partners, and Mason and Martin LLP.
NORMIL, MARCELIN and DEMOSTHENES	5/04	Recruited and assisted a runner (herein referred to as "Runner1") to cash and deposit numerous checks purportedly drawing on the accounts of Wellesley Companies, Inc. and Starr Realty.
DUCARMEL	5/04-6/04	Cashed numerous checks purportedly drawing on the account of Starr Realty, Inc., Corporate Realty Group, Inc., and Hillside Resource and Management.
TAVARES	5/04-6/04	Cashed numerous checks purportedly drawing on the accounts of Starr Realty, Inc., Crown Colony Owners Assoc., Westbank Realty Corp., Corporate Realty Group, Inc., Westray Realty Company, LLC, and Atlantic Power and Light Co.
DUMORNAY AND CELESTIN	5/04 to 10/04	Accessed the Fleet Bank/Bank of America account information of Chanel, Inc., Fenway Community Health Center, Reali Realty, and Realty Association Fund III, along with numerous other accounts.
DUMORNAY, CELESTIN, and JEAN	5/04 to 10/04	Placed numerous telephone calls between and among each other to discuss Fleet Bank/Bank of America account information and to monitor the success of the fraudulent

banking transactions.

DUMORNAY	5/04 to 10/04	Accessed the Fleet Bank/Bank of America account information of Abbey Landmark Operating LLC, Americana, Atlantic Power & Light Co., Pohly & Partners, Inc., Pratt Ophthalmology Associates, Red Star Contracting, Inc., Sid Wainer and Son Friendly Fruit, Starr Realty, Inc., Suffolk Construction Co., Inc., Tata & Howard, Inc., Global Consult of New Jersey, Global Consulting Group, Global Consulting Group, Inc., Global Consulting Partners, Global Consulting Resources I, Global Consulting, Global Consulting Specialists, Global Consulting Service, Global Consulting Services, and Global Consulting of Reston I, among other accounts.
CELESTIN	6/04 to 10/04	Accessed the Fleet Bank/Bank of America account information of Dorchester Real Estate, Inc., Hillside Resource & Management, N&W Realty, Inc., Realty Partners, Realty Partners Group, Realty Partners NE II, Realty Partnership, Realty Plus, Realty Production LLC, Westgate Recruiting LLC, Westbank Realty Corporation, and Westray Realty Company, Inc., among other accounts.
NOBLE, NORMIL, MARCELIN and DEMOSTHENES	6/04-7/04	Recruited and assisted a runner (herein referred to as "Runner2") to cash and deposit numerous checks purportedly drawing on the accounts of Hillside Resource and Management, Pembroke Realty Company, and Westgate Recruiting, LLC.
NOBLE, NORMIL, MARCELIN and DEMOSTHENES	7/04	Recruited and assisted a runner (herein referred to as "Runner3") to cash numerous checks purportedly drawing on the account of Westgate Recruiting, LLC.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH FIVE

JEAN

(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

35. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

36. On or about the dates set forth below, in the District of Massachusetts and elsewhere, the defendant,

BURDLEY JEAN,

did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Citizens Bank, by means of false and fraudulent pretenses, representations and promises, as follows:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>TRANSACTION</u>
2	7/22/02	Cashed counter check in the amount of \$2,500, more or less, purportedly drawing on the account of an individual with the initials R.R. at the Citizens Bank in Roslindale, Massachusetts.
3	8/16/02	Negotiated a checking debit in the amount of \$2,500, more or less, purportedly drawing on the account of an individual with the initials R.R. at the Citizens Bank in Roslindale, Massachusetts.
4	5/9/03	Caused a runner with the initials F.S. to cash a counterfeit check at Citizens Bank in Danvers, Massachusetts payable to Jose Morales purportedly drawing on the account of Steffian Bradley Architects for \$2,493.07, more or less.

5 5/9/03 Caused a runner with the initials S.S. to cash a counterfeit check at Citizens Bank in Danvers, Massachusetts payable to Sukhdeep Kaur purportedly drawing on the account of Steffian Bradley Architects for \$2,493.61, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS SIX THROUGH NINE
JEAN AND NORISCAT
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

37. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

38. On or about the dates set forth below, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN and
JEAN NORISCAT,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of federally insured financial institutions, namely Fleet Bank/Bank of America and Sovereign Bank, by means of false and fraudulent pretenses, representations and promises, as follows:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>TRANSACTION AND FINANCIAL INSTITUTION</u>
6	6/17/03	Attempted cashing of a check at Sovereign Bank in Framingham, Massachusetts payable to Shaun Green purportedly drawing on the account of Disability Management Services, Inc. in the amount of \$2,678.39, more or less.
7	6/18/03	Cashed check at Fleet Bank in Swansea, Massachusetts payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,487.31, more or less.
8	6/18/03	Cashed check at Fleet Bank in Somerset, Massachusetts payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,693.82, more or less.

9	6/18/03	Cashed check at Fleet Bank in Fall River, Massachusetts payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,497.22, more or less.
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All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TEN
JEAN, DUMORNAY and CELESTIN
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

39. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

40. From on or about July 28, 2004 through on or about August 18, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN,
PETERSON DUMORNAY and
JUDE CELESTIN,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by obtaining information necessary to counterfeit a check for \$206,857, more or less, purportedly drawing on the account of Fenway Community Health Center, and causing this check to be deposited into the account of Global W. Consulting.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT ELEVEN
JEAN AND DUCARMEL
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

41. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

42. On or about May 20, 2003, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN and
EDOUARD DUCARMEL,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Sovereign Bank, by means of false and fraudulent pretenses, representations and promises by cashing a check purportedly drawing on the account of Mohawk Village Motors, Inc. for \$2,489.47, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TWELVE
JEAN AND DUCARMEL
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

43. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

44. On or about May 22, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN and
EDOUARD DUCARMEL,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by cashing a check purportedly drawing on the account of Starr Realty, Inc. for \$4,487.38, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THIRTEEN
JEAN, CELESTIN, DEMOSTHENES and NOBLE
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

45. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

46. On or about June 10, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN,
JUDE CELESTIN,
ANDERSON DEMOSTHENES, a/k/a DIMITRI HILAIRE and
SHAVONE NOBLE,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by cashing a check purportedly drawing on the account of Westbank Realty Corp. for \$5,689.67, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT FOURTEEN
JEAN, CELESTIN, NORISCAT and TAVARES
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

47. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

48. On or about June 11, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN,
JUDE CELESTIN,
JEAN NORISCAT and
TYAMISHA TAVARES,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by cashing a check purportedly drawing on the account of Westbank Realty Corp. for \$4,786.55, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT FIFTEEN

JEAN, DEMOSTHENES, MARCELIN, and NORMIL

(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

49. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

50. On or about May 25, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN,
ANDERSON DEMOSTHENES, a/k/a DIMITRI HILAIRE,
STEVEN MARCELIN, and
JAMES ROBERT NORMIL,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by causing Runner1 to cash and deposit a check purportedly drawing on the account of Starr Realty, Inc. for \$2,217.88, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SIXTEEN

JEAN, CELESTIN, DEMOSTHENES, MARCELIN, and NOBLE

(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

51. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

52. On or about July 9, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN,
JUDE CELESTIN,
ANDERSON DEMOSTHENES, a/k/a DIMITRI HILAIRE,
STEVEN MARCELIN, and
SHAVONE NOBLE,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by causing Runner2 to cash a check purportedly drawing on the account of Westgate Recruiting LLC for \$5,596.13, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SEVENTEEN
JEAN, CELESTIN, DEMOSTHENES, NORMIL, NOBLE
(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

53. Paragraphs 1 through 25 and 28 through 34 are realleged and incorporated by reference as though fully set forth herein.

54. On or about July 9, 2004, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN,
JUDE CELESTIN,
ANDERSON DEMOSTHENES, a/k/a DIMITRI HILAIRE,
JAMES ROBERT NORMIL, and
SHAVONE NOBLE,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of a federally insured financial institution, namely Fleet Bank/Bank of America, by means of false and fraudulent pretenses, representations and promises by causing Runner3 to cash a check purportedly drawing on the account of Westgate Recruiting, LLC for \$5,782.61, more or less.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS EIGHTEEN and NINETEEN

MARCELIN

(Bank Fraud – 18 U.S.C. § 1344)

THE GRAND JURY FURTHER CHARGES THAT:

55. On or about the dates set forth below, in the District of Massachusetts and elsewhere, the defendant,

STEVEN MARCELIN,

did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of federally insured financial institutions, namely Bank of America and Sovereign Bank, by means of false and fraudulent pretenses, representations and promises, as follows:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>TRANSACTION AND FINANCIAL INSTITUTION</u>
18	7/16/05	Cashed counterfeit checks at Sovereign Bank drawn on the account of NAHF Brockton Limited Partnership.
19	8/19/05	Cashed counterfeit checks at Bank of America drawn on the account of Safety Insurance.

All in violation of Title 18, United States Code, Sections 1344 and 2.

FORFEITURE ALLEGATIONS
(18 U.S.C. § 982)

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations of Counts One through Twenty of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 371 and 1344, the defendants,

BURDLEY JEAN,
JEAN NORISCAT,
ANDERSON DEMOSTHENES a/k/a DIMITRI HILAIRE,
JAMES ROBERT NORMIL
STEVEN MARCELIN,
SHAVONE NOBLE,
TYAMISHA TAVARES,
EDOUARD DUCARMEL,
JUDE CELESTIN, and
PETERSON DUMORNAY,

jointly and severally, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(a) any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of such violation.

3. If any of the property described in paragraph 2 hereof as being forfeitable pursuant to Title 18, United States Code, Section 982(a)(2)(A), as a result of any act or omission of the defendants --

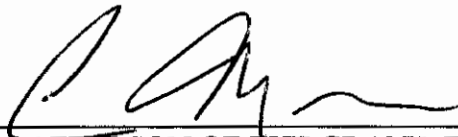
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this Court;

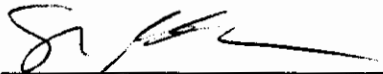
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of all other property of the defendants up to the value of the property described in subparagraphs a through e of this paragraph.

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL


FOREPERSON OF THE GRAND JURY


Seth P. Berman
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

November 30, 2005

Returned into the District Court by the Grand Jurors and filed.

 12:30 PM
Deputy Clerk

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
 Same Defendant Yes New Defendant _____
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name BURDLEY JEAN Juvenile ☐ Yes ☒ No

Alias Name _____

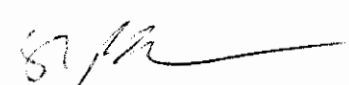
Address 20 Reed Street #24 Randolph, MABirth date (Year only): 1980 SSN (last 4 #): 5436 Sex M Race: Black Nationality: unknown

Defense Counsel if known: Jonathan Shapiro Address: 90 Canal Street, Suite 500
Boston, MA 02114

Bar Number: _____

U.S. Attorney Information:AUSA Seth P. Berman Bar Number if applicable 629332Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No
☐ Warrant Requested ☐ Regular Process ☒ In Custody
Location Status:Arrest Date: July 7, 2005☒ Already in Federal Custody as pretrial detainee in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 17

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: November 30, 2005Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant BURDLEY JEAN

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>2-17</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 6/29/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
 Same Defendant Yes New Defendant _____
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name JEAN MARC NORISCAT Juvenile ☐ Yes ☒ No

Alias Name _____

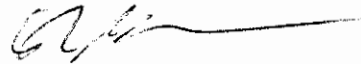
Address 31 Tennis Road #2 Mattapan, MA 02126Birth date (Year only): 1974 SSN (last 4 #): 8290 Sex M Race: Black Nationality: unknown

Defense Counsel if known: James Coviello Address: 303 Main Street
Charlsetown, MA 02129

Bar Number: _____

U.S. Attorney Information:AUSA Seth P. Berman Bar Number if applicable 629332Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No
☐ Warrant Requested ☒ Regular Process ☐ In Custody
Location Status:Arrest Date: 4/25/05☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by J Bowler on 4/28/05Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 6

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: November 30, 2005Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant JEAN MARC NORISCAT

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>6-9, 14</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
 Same Defendant _____ New Defendant Yes
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name Anderson Demosthenes Juvenile ☐ Yes ☒ NoAlias Name Dimitri Hilaire

Address _____

Birth date (Year only): 1978 SSN (last 4 #): 3099 Sex M Race: Black Nationality: unknown

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**


Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 5

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Anderson Demosthenese a/k/a Dimitri Hilaire

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>13, 15, 16, and 17</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
Same Defendant _____ New Defendant Yes
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name James Robert Normil Juvenile ☐ Yes ☒ NoAlias Name Bobby NormilAddress 210 Otis Street, Cambridge, MA 02141Birth date (Year only): 1984 SSN (last 4 #): 2929 Sex M Race: Black Nationality: unknown

Defense Counsel if known: _____ Address: _____


Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 3

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: November 30, 2005Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant James Robert Normil

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>15 and 17</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Quincy and elsewhere Related Case Information:County Norfolk Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
Same Defendant _____ New Defendant Yes
Magistrate Judge Case Number _____
Search Warrant Case Number _____
Rule 5(c)/40 from District of _____**Defendant Information:**Defendant Name STEVE MARCELIN Juvenile ☐ Yes ☒ No

Alias Name _____

Address 1444 Blue Hill Avenue, Apt. 204, Boston, MA 02136Birth date (Year only): 1978 SSN (last 4 #): 0387 Sex M Race: Bl Nationality: USADefense Counsel if known: Mel Norris Address: 260 Boston Post Road
Wayland, MA 01778


Bar Number: _____

U.S. Attorney Information:AUSA Seth P. Berman Bar Number if applicable 629332Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: 9/16/05 (on 05-1155-JGD)☒ Already in Federal Custody as pretrial detainee in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 5

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 8/29/05) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant STEVE MARCELIN

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. § 1344</u>	<u>Bank Fraud</u>	<u>15, 16, 18, 19</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
 Same Defendant _____ New Defendant Yes
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name Shavone Noble Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1983 SSN (last 4 #): 3076 Sex F Race: Black Nationality: unknown

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

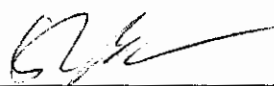
Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 4

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Shavone Noble

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>13, 16 and 17</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
Same Defendant _____ New Defendant Yes
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Tyamisha Tavares Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1981 SSN (last 4 #): unk Sex F Race: Black Nationality: unknown

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

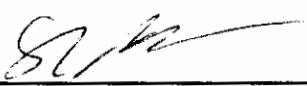
Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Tyamisha Tavares

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>14</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
Same Defendant _____ New Defendant Yes
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Eduoard Ducarmel Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1978 SSN (last 4 #): unk Sex M Race: Black Nationality: unknown

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**


Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 3

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Eduoard Ducarmel

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>11-12</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110-MEL
 Same Defendant _____ New Defendant Yes
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name Jude Celestin Juvenile ☐ Yes ☒ No

Alias Name _____

Address 444 Norfolk Street, Matapan, MABirth date (Year only): 1982 SSN (last 4 #): 2316 Sex M Race: Black Nationality: USA

Defense Counsel if known: Martin Leppo Address: 15 South Main Street
Randolph, MA 02368


Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No
☐ Warrant Requested ☒ Regular Process ☐ In Custody
Location Status:Arrest Date: 12/22/04 (in connection with 04-10379)☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by J Dein on 12/22/04Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 6

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jude Celestin

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>10, 13, 14, 16, and 17</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised USAO MA 1/15/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. Yes Case No. 05-10110
 Same Defendant _____ New Defendant Yes
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name Peterson Dumornay Juvenile ☐ Yes ☒ No

Alias Name _____

Address 46 Birchwood Road #428 Randolph, MABirth date (Year only): 1980 SSN (last 4 #): 1072 Sex M Race: Black Nationality: USA

Defense Counsel if known: Roger Witkin Address: 6 Beacon Street, Suite 1010
Boston, MA 02108


Bar Number: _____

U.S. Attorney Information:AUSA Seth Berman Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No
☐ Warrant Requested ☒ Regular Process ☐ In Custody
Location Status:Arrest Date: 12/22/04 (in connection with 04-10379)☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by J Dein on 12/22/04Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: November 30, 2005

Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Peterson Dumornay

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. §371</u>	<u>Conspiracy</u>	<u>One</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>Ten</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: